

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Toshitada TOYODA et al. : **Mail Stop: PCT**
Serial No. 10/566,215 : Attorney Docket No. 2006-0032A
Filed January 27, 2006 :

DRY SYRUP CONTAINING LORATADINE
[Corresponding to PCT/JP2004/011333
Filed August 6, 2004]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☒ a full or partial English language translation submitted herewith,
 - b. ☒ a foreign patent office search report (International Search Report) (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☒ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report (International Search Report) citing one or more of the references is enclosed.
6. ☒ Comments:

The copy of the International Search Report submitted with Applicants' Transmittal Letter on January 27, 2006 consisted of two pages. A page citing two additional references was inadvertently omitted. A complete copy (three pages) of the International Search Report is submitted herewith.

The JP '312 and JP '463 references cited on the attached PTO-1449 form are cited on page 2 of the attached copy of the complete International Search Report.

Although cited on the first page of the International Search Report previously submitted to the PTO, Applicants did not have a copy of the Japanese literature reference (Dai Jusan Kaisei Nippon Yakkyokukata Kaisetsusho) at the time of filing the previous Information Disclosure Statement. A copy of this reference, together with a partial English translation thereof, have now been obtained, and are submitted herewith. The reference is also cited on the attached PTO-1449 form.

The EP '333 reference cited on the attached PTO-1449 form is an English counterpart of the WO '691 reference cited on page 2 of the present application.

The WO '679 reference cited on the attached PTO-1449 form is an English counterpart of the JP '649 reference cited on page 2 of the present application.

The WO '607 reference cited on the attached PTO-1449 form is cited in the International Preliminary Examination Report.

Respectfully submitted,

Toshitada TOYODA et al.

By:

A handwritten signature in black ink, appearing to read "Michael R. Davis", written over a horizontal line.

Michael R. Davis

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March 8, 2006

Receipt date: 03/08/2006

Sheet 1 of 1

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: March 8, 2006

ATTY DOCKET NO.
2006-0032ASERIAL NO.
10/566,215APPLICANT
Toshtada TOYODA et al.FILING DATE
January 27, 2006

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AG						
	AD						
	AF						
	AF						
	AG						
	AH						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AI	6-157312	6/1994	Japan				
	AF	11-29463	2/1999	Japan				
	AK	1 138 333	10/2001	Europe				
	AF	02/05816	1/2002	WO				
	AM	97/38679	10/1997	WO				
	AN	01/76607	10/2001	WO				

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Dai Jusan Kaisei Nippon Yakkyokukata Kaisetsusho, 1996, Kabushiki Kaisha Hirokawa Shoten, page A107.
	AP	
	AQ	

EXAMINER

/Kevin Orwig/

DATE CONSIDERED

08/13/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.O./